

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

RANDY EUGENE ADAMS, SR.,)
Plaintiff,)
v.) Case No. 4:03CV1611 TIA
UNKNOWN PORTWOOD, et al.,)
Defendants.)

MEMORANDUM AND ORDER

This matter is before the Court on Defendants' Motion to Dismiss (filed August 26, 2005/Docket No. 68). All matters are pending before the undersigned United States Magistrate Judge, with consent of the parties, pursuant to 28 U.S.C. § 636(c).

Plaintiff filed this cause of action on November 6, 2003, alleging that because of the acts or omissions on the part of the Defendants, he was illegally held at the St. Louis City Justice Center for fifty days after he had posted bond. Plaintiff seeks monetary relief in this 42 U.S.C. § 1983 action against Defendants. In the Motion to Dismiss, Defendants seek dismissal of Plaintiff's Complaint as directed to them, contending that Plaintiff has failed to notify the Court of his change of address as required by Local Rule 2.06(B). On September 14, 2005, the Court entered an Order directing Plaintiff to show cause why Defendants' Motions to Dismiss should not be granted and to provide a current mailing address. A review of the Court file shows that, to date, Plaintiff has not filed any opposition to the motion or in any other way complied with the Order of September 14, 2005. In the Order, the Court warned Plaintiff that failure to timely comply may result in the case being dismissed without prejudice. Accordingly,

IT IS HEREBY ORDERED Defendants' Motion to Dismiss (filed August 26, 2005/Docket

No. 68) is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE**.

A separate Judgment in accordance with this Memorandum and Order is entered this same date.

Dated this 20th day of October, 2005.

/s/ Terry J. Adelman
UNITED STATES MAGISTRATE JUDGE